

REMARKS

Applicant respectfully requests reconsideration of this application.

Claims 71, 76 and 81 have been amended. Claims 82-85 have been added.

Applicant respectfully submits that no new matter has been added and the claims are supported in the detailed description of the specification.

Rejections Under 35 U.S.C. § 103(a)

Claims 2-16, 19-34, 36-51, and 71-81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over an article by Marc Gunther titled "The Trouble with Advertising" ("Gunther") in combination with the ordinary skill in the art.

Applicant does not admit that Gunther is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant respectfully submits that Gunther in combination with the ordinary skill in the art at the time the invention was conceived does not render the Applicant's claims, as amended, obvious under 35 USC §103(a).

Gunther discloses a redemption program that gives users points, similar to airline frequent-flier miles, for viewing pages and buying things. Gunther requires that "users exchange points for T-shirts, movie passes, \$5 and \$10 restaurant certificates, hockey pucks and baseballs, along with automatic entries in a \$1 million sweepstakes."

Other known systems, such as the Lexis and Westlaw Rewards programs for law students who use the Lexis and Westlaw research systems, that have both a point exchange program and automatic entries into sweepstakes award the

automatic sweepstakes entry independently of the points program. The sweepstakes entry is awarded independent of, but along with the points. The sweepstakes entries are not awarded based on how much time is spent on the site or how many links the user clicks; instead, the sweepstakes entries are awarded for simply visiting the site. In fact, the sweepstakes entry is typically awarded when the user logs into the system. Points are not exchanged for the sweepstakes entry. The sweepstakes entry is awarded automatically, without regard to points.

Thus, the system in Gunther provides sweepstakes awards independent of, but along with, the point exchange system. The Gunther system does not actually describe points being exchanged for sweepstakes entries. Gunther only describes exchanging points for T-shirts etc. Gunther describes the sweepstakes entries being awarded along with exchanging points for the prizes.

In addition, Gunther does not describe that the entries in the sweepstakes are provided when a predetermined number of points have been accumulated. Instead, Gunther teaches that the points are exchanged for prizes (T-shirts, etc., but not sweepstakes entries). Gunther, therefore, teaches away from the presently claimed invention because Gunther requires that a point redemption program be provided in addition to automatic entries in a sweepstakes.

In contrast, in the presently claimed invention, no such redemption program is disclosed. As described in the background of the invention of the present specification (see page 1), the drawbacks of redemption programs are

that it is applicable only to websites where goods are sold and requires that the website provider have some manner of goods or services to be exchanged for points. It also requires Internet users to actively redeem accumulated points, which some users may find bothersome. Another drawback is that it requires the website to provide and support a points redemption program.

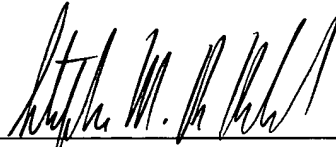
The present invention as claimed in claim 76 is directed to a system for attracting and retaining Internet users at a website, by awarding points for clicking on hyperlinks within the website and automatically awarding a sweepstakes entry after a predetermined number of points have been accumulated. Users are automatically enrolled in the sweepstakes and thus are required to take no action other than using the website. It does not require the owner of the website to sell a product or provide products or services as prizes or provide and maintain a point redemption program. In addition, users are not required to actively exchange points for products or services, and the website is not required to provide a points redemption program.

Claims 2-16, 19-34, 36-51, 72-75, and 77-80 are dependent on at least one of the claims 71, 76, and 81; and hence are also patentable at least for the reasons stated above. Therefore, Applicants respectfully request the rejections to claims 2-16, 19-34, 36-51, and 71-81 under 35 USC §103(a) be withdrawn.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



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Stephen M. De Klerk
Reg. No. 46,503

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300